



Attorney Docket No. 26307 DFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

SIMON

Serial No.: 10/507,500

Art Unit: 1614

Filed: September 13, 2004

Examiner: SPIVACK, P.

For: **USE OF PROTON PUMP INHIBITORS FOR THE TREATMENT OF AIRWAY DISORDERS**

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter; and
- (2) Response and Amendment; and
- (3) Appendix A.

Respectfully submitted,  
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Date: February 6, 2006  
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**RESPONSE AND AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Official Action dated November 30, 2005. The three-month shortened statutory period for response expires February 28, 2006. Accordingly, this Response is timely filed.

In view of the following amendments and remarks, applicant respectfully requests the Examiner to reconsider and withdraw the outstanding rejections and allow all claims pending in this application.

Please amend the application as follows:

**IN THE CLAIMS**

Please amend claims 1, 6 and 10 and cancel claims 7-8 without prejudice to or disclaimer of the subject matter contained therein